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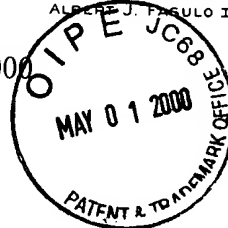
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May 1, 2000



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Assistant Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Utility Patent Application
Appl. No. 08/935,377; Filed: September 22, 1997
For: **T Cells Specific for Target Antigens and Vaccines Based Thereon**
Inventors: Zauderer, M.
Our Ref: 1821.0010000/EKS/HCC
(Formerly PENY4-628885)

Sir:

Transmitted herewith for appropriate action are the following documents:

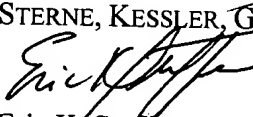
1. Reply to Restriction Requirement; and
2. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


Eric K. Steffe
Attorney for Applicants
Registration No. 36,688

Enclosures

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

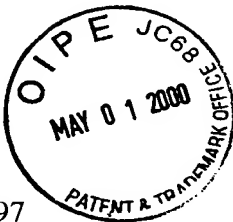
In re application of:

ZAUDERER, M.

Appl. No. 08/935,377

Filed: September 22, 1997

For: **T Cells Specific for Target
Antigens and Vaccines Based
Thereon**



Art Unit: 1644

Examiner: Ewoldt, G.

Atty. Docket: 1821.0010000/EKS/HCC
(Formerly PENY4-628885)

Reply To Restriction Requirement

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Please note that the attorney docket number for the captioned application has changed from "PENY4-628885" to --**1821.0010000**--.

In reply to the Office Action dated March 30, 2000, requesting an election of one invention to prosecute in the above-referenced patent application, Applicant hereby provisionally elects to prosecute the invention of Group VI, represented by claims 43-61 and 67. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed.

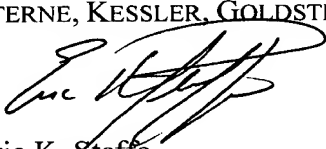
This election is made with traverse. A search and examination of the methods of selecting recombinants encoding viral epitopes as in claims 43-45 and 59-63 of Group II, fungal epitopes as in claims 43-62 and 64 of Group III, mycobacterial epitopes as in claims 43-62 and 65 of Group IV, autoimmune epitopes as in claims 43-61 and 66 of Group V, and tumor epitopes as in claims 43-61 and 67 of Group VI would not be a serious burden. Applicant submits that publications disclosing the methods of Groups II-V would overlap with publications disclosing the method Group VI. Accordingly, Applicant respectfully requests that the claims of Groups II-V also be searched and examined in the captioned application. *See* M.P.E.P. § 803 (7th ed. 1998). Accordingly, reconsideration and withdrawal of the Restriction Requirement, and examination and allowance of pending claims 43-67 are respectfully requested.

In addition to the restriction requirement, the Examiner required an election of one species comprising a specific viral vector and a specific method by which test recombinants are constructed. Applicant hereby provisionally elects to prosecute the species comprising the vaccinia virus vector and the trimolecular recombination method of Example 6.2(ii). Claim 43 is generic and claims 7-16, 43-47, 49-58, and 60-67 read on the provisionally elected species. This election is made without traverse. Applicants assert the right to claim additional species in the event that a generic claim thereto is found to be allowable in accordance with 37 C.F.R. § 1.141(a). This election is made without prejudice to or disclaimer of the other claims or inventions disclosed. Consideration and allowance of all pending claims are respectfully requested.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Eric K. Steffe
Attorney for Applicant
Registration No. 36,688

Date: May 1, 2000

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